

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

MICHAEL CASTRODALE and RONALD SYKES, Derivatively on Behalf of LANNETT COMPANY, INC.,

Plaintiffs,
vs.

ARTHUR P. BEDROSIAN, *et al.*,

Defendants,
-and-

LANNETT COMPANY, INC.,

Nominal Defendant.

Case No.: 19-1746-RGA

**DEFENDANTS' MOTION TO DISMISS
PURSUANT TO FEDERAL RULES OF CIVIL PROCEDURE 23.1 AND 12(b)(6),
OR, IN THE ALTERNATIVE, TO STAY THE ACTION**

Pursuant to Federal Rules of Civil Procedure 23.1 and 12(b)(6), Defendants Arthur P. Bedrosian, Timothy C. Crew, Martin P. Galvan, John Kozlowski, Jeffrey Farber, Patrick G. LePore, James M. Maher, and Albert Paonessa, III (together, the “Individual Defendants”) and Nominal Defendant Lannett Company, Inc. (“Lannett” or the “Company”) (together with the Individual Defendants, “Defendants”) hereby move to dismiss the claims asserted against them in Plaintiffs’ Verified Shareholder Derivative Complaint, or, in the alternative, stay the action pending other related actions. The grounds supporting the Motion are set forth in the accompanying Opening Brief, and will be supplemented, as appropriate, in a reply brief or briefs.

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Dated: November 22, 2019

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